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EXAMINER

SHAPIRO, JEFFERY A

ART UNIT PAPER NUMBER

3653

DATE MAILED: 08/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/848,004

Applicant(s)

TOD, JR., G. ROBERT

Examiner

Jeffrey A. Shapiro

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 12-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 19-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al in view of Boss and further in view of Theimer et al. Roberts et al discloses the document processing center comprising a first document processing system as follows.

As described in Claims 1 and 30;

1. a plurality of document processing stations (110 and 112) for performing operations on documents and processing information relating to documents (note that printing is just such an operation);
2. a plurality of receptacles for storing documents between operations (note the use of stockers to store carriers/cassettes in col. 3, lines 51-60 and that cassettes can also be construed as receptacles);
3. a communication interface (108, 202 or 230) for receiving information produced by the processing stations and producing messages relating to the information;

As described in Claim 3;

6. one or more of the document processing stations includes a plurality of sorting locations (see printers 110 and 112 as well as merge stations 114 in figure 2, for example);
7. wherein groupings of documents are created based on the sorting location into which they are sorted (see col. 7, lines 38-53; and
8. wherein each grouping of documents is designated according to its sorting location;

As described in Claim 4;

9. the sorting locations are pockets used by one or more of the document processing stations for receiving sorted documents (see col. 7, lines 38-43);

As described in Claim 5;

10. a subserver (1030 or 1024) connected to the document processing stations;
11. the subserver being operative to coordinate operations of the processing stations and to receive information from the processing stations (see figure 10, noting that the workstations communicate with the network, and at the very least, are a functional equivalent to Applicant's subserver);
12. the subserver being *operative* to prepare messages based on the information from the processing stations (see col. 21, lines 50-67 and col. 22, lines 1-27);

13. the subserver being further *operative* to associate each message with a pocket (see col. 7, lines 38-43);

As described in Claim 7;

15. a communication server serving as an interface between the subserver and the communication interface (see figure 10, for example);

16. the communication server being *operative* to receive messages from the subserver and associate the message with the label associated with the pocket (see col. 7, lines 44-53);

As described in Claim 9;

18. a plurality of additional document processing systems;

19. each additional processing system operating in parallel with the first document processing system;

20. each of the additional processing systems comprising a plurality of document processing stations and a plurality of receptacles having affixed electronic labels,

21. each of the document processing systems employing a subserver connected to the document processing stations,

22. the subservers being connected to the central communication server,

23. the central communication server being operative to control transmission of messages from the first document processing system and each of the additional document processing systems to the electronic labels employed by the first document processing system and each of the additional document processing systems, respectively;

(Note that it would have been obvious for one ordinarily skilled in the art to duplicate one system and link them—note also that it can be construed that Tau et al discloses using several distinct systems together—see figure 1, for example, illustrating several MMS systems being used together in the same system);

As described in Claim 20;

28. the operations performed on documents include document capture (see col. 6, lines 57-67, noting that a printer, copier or scanner can all be construed as document capture devices, and that they are considered to be functional equivalents to each other—note also that “document capture” can be construed to be the function performed by a bin or tray into which a document is placed);

As described in Claim 21;

29. the operations performed on documents include MICR encoding (note that MICR (magnetic ink character recognition) is considered to be a functional equivalent of a bar code or other identifying feature);

As described in Claim 22;

30. the operations performed on documents include document endorsement (note that this is considered to be a functional equivalent of printing, scanning, copying, etc.);

As described in Claims 24 and 26;

32. a plurality of sorting locations, wherein groupings of documents are created based on the sorting location into which they are sorted and wherein each grouping of documents is designated according to its sorting location (see col. 7, lines 1-32);

As described in Claim 25;

33. the sorting locations are pockets (note that trays are construed as pockets—see col. 7, lines 41-43);

Roberts et al does not expressly disclose, but Boss expressly discloses the following.

\*As described in Claim 1;

\*4. a plurality of electronic labels (see col. 3, lines 31-65) receiving messages (wirelessly) from the communication interface, each of the labels being affixed to one of the receptacles, each of the labels being operative to display messages addressed to the label;

\*As described in Claim 2;

5. each of the labels is associated with the documents placed in the receptacle to which the label is affixed (see above discussion (see col. 3, lines 31-65);

\*As described in Claim 6;

14. each of the labels is associated with one of the pockets (see col. 3, lines 31-65); and

15. wherein documents from each pocket are placed in a receptacle bearing a label corresponding to the pocket (see lines 31-65);

\*As described in Claims 8 and 27;

17. each of the electronic labels has a unique address (see lines 31-65);

\*As described in Claim 23;

31. each of the labels is associated with the documents placed in the receptacle to which the label is affixed (see lines 31-65);

\*As described in Claim 28;

24. each of the electronic labels is a low cost (wireless) receiver operative to receive radio frequency signals representing a message and to display the message using a visual display (see Kosarew, noting the visual information display (10a) on the smart tag);

\*As described in Claims 11 and 29;



25. each of the electronic labels is operative to receive an operator input,
26. wherein the communication interface is operative to send status requests to the electronic labels; and
27. wherein the electronic labels are operative to use modulated backscatter to send a signal to the communication interface indicating the presence of operator input (see col. 3, lines 60-65, noting that modulated backscatter is considered to be a functional equivalent of direct wire, printed circuit board, or semiconductor electric conduits);

(Note that RF tags necessarily receive operator input and send status request back to a server and that they necessarily operate using modulated backscatter—see Drabeck et al, Mariani, Swartz et al and Carrender et al, for example. Note also that Theimer et al describes the use of “intelligent tags” such as radio or infrared, as described in the abstract and col. 5, lines 8-11 as well as the fact that such intelligent tags are useful in decentralized systems—see col. 5, lines 39-46;)

Roberts et al does not expressly disclose, but Baker expressly discloses the following.

Use of an RF tag, which is considered to be wireless. See col. 2, lines 28-39, for example, noting that RF is described as being the functional equivalent of smart devices, magnetic strips, bar codes, etc.

Both Roberts et al, Boss and Baker et al are analogous art because they both concern routing and sorting of items.

At the time of the invention, it would have been obvious to a person of ordinary skill to use the finisher system of Boss in the document processor system of Roberts et al and to use an RF based identification tag as would be expedient to one ordinarily skilled in the art to use, for example, where a decentralized system is required.

The suggestion/reason would be to provide multiple bin sorting capabilities and transfer capabilities between document processing operations. See Roberts et al col. 7, lines 44-54, stating that the merging apparatus is required and Boss at col. 1, lines 65-67 and col. 2, lines 1-4, noting that the apparatus of Boss is intended to be used for multiple bin sorting. Baker describes using an RF based electronic tag.

Therefore, it would have been obvious to combine Baker and Tau et al to obtain the invention as described in Claims 1-11.

### ***Response to Arguments***

3. Applicant's arguments with respect to Claims 1-11 and 19-30 have been considered but are moot in view of the new ground(s) of rejection. See above discussion.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

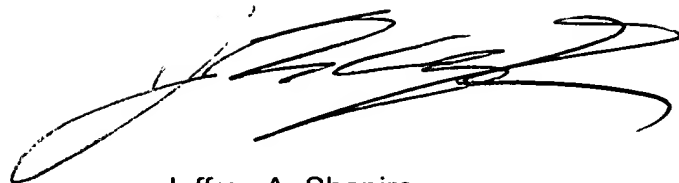
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.

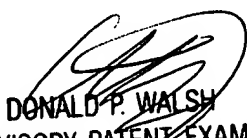
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Examiner  
Art Unit 3653

August 23, 2003



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